

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAMES SMITH, on behalf of himself and)
all others similarly situated, and on behalf of) NO.: 1:20-CV-02350
the TRIAD MANUFACTURING, INC.)
EMPLOYEE STOCK OWNERSHIP PLAN,) JUDGE: GUZMAN
Plaintiffs,)
vs.) MAG. JUDGE: KIM
GREATBANC TRUST COMPANY; THE)
BOARD OF DIRECTORS OF TRIAD)
MANUFACTURING, INC.; DAVID)
CAITO; ROBERT HARDIE; and)
MICHAEL McCORMICK,)
Defendants.)

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE A RESPONSE TO THE COMPLAINT**

NOW COME the Defendants, the BOARD OF DIRECTORS OF TRIAD MANUFACTURING, INC. (“TRIAD”), DAVID CAITO (“CAITO”), ROBERT HARDIE (“HARDIE”), and MICHAEL McCORMICK (“McCORMICK”) (hereinafter collectively referred to as the “TRIAD Defendants”), by and through their undersigned counsel of FordHarrison, LLP, and hereby request this Honorable Court extend the deadline for the TRIAD Defendants to respond to the Complaint, and in support thereof, state as follows:

1. On April 15, 2020, the Plaintiffs filed the above-captioned lawsuit against the TRIAD Defendants and GREATBANC TRUST COMPANY (“GreatBanc”). (Docket No. 1).
2. On or around April 22, 2020, each of the TRIAD Defendants were served with the Summons and Complaint. (Docket Nos. 18-21).¹

¹ While the individual TRIAD Defendants CAITO, HARDIE, and McCORMICK do not believe service was

3. The TRIAD Defendants retained the undersigned counsel on May 7, 2020.
4. The TRIAD Defendants current deadline to file their Response to the Complaint is May 13, 2020.
5. As a result of the recent retention of counsel, counsel for the TRIAD Defendants is in the initial stages of evaluating and preparing a Response to the Complaint.
6. Therefore, the TRIAD Defendants request an extension of the deadline to file a Response to the Complaint from May 13, 2020 to June 1, 2020.
7. Counsel for the TRIAD Defendants conducted a telephone conference with Plaintiff's counsel on May 11, 2020 wherein Plaintiff's counsel stated they have no objection to the extension requested herein.

WHEREFORE, the TRIAD Defendants respectfully request this Honorable Court extend the deadline for the TRIAD Defendants' Response to the Complaint from May 13, 2020 to June 1, 2020.

Respectfully Submitted,

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necessarily proper, these Defendants have agreed to accept service so long as the extension requested herein is granted.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on today's date, May 11, 2020, he served a copy of the ***TRIAD Defendants' Motion for Extension of Time to File a Response to Complaint*** on all parties via electronic service through the CM/ECF filing system, and to all parties unable to receive electronic service, via electronic service to their at the address set forth below. In addition, a courtesy copy has not been delivered to the Court due to the suspension of Local Rules pursuant to the United States for the Northern District of Illinois third Amended General Order 20-0012.

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/s/ Matthew D. Grabell
One of the TRIAD Defendants' Attorneys